

BILL NO. A-88-08- 32

APPROPRIATION NO. A-

05-88

AN ORDINANCE appropriating monies from the unappropriated and unobligated balance of the Parks and Recreation Department Account No. 355-121-1011 to provide matching funds for a certain Indiana Department of Natural Resources grant.

WHEREAS, the Fort Wayne Board of Park Commissioners has entered into a Land and Water Conservation Fund Project Agreement with the Indiana Department of Natural Resources;

WHEREAS, said project is in connection with the design and construction of a linear bike trail from Swinney Park to Taylor Street, a distance of approximately 2000 feet;

WHEREAS, said fund project agreement provides that the City shall pay one-half of the total cost of the project and that the LWCF Grant shall pay for the other half of the project;

WHEREAS, pursuant to said agreement, the Indiana Department of Natural Resources will grant to the Fort Wayne Board of Park Commissioners the sum of \$48,877.00;

WHEREAS, it is necessary to appropriate the monies from said grant.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

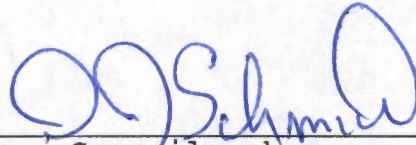
SECTION 1. That there is hereby appropriated in the 1988 Budget of the Parks and Recreation Department, stated below, the following sum, to wit:

<u>Department</u>	<u>Account No.</u>	<u>Amount</u>
Parks and Recreation Dept.	323-121-LWCF	\$97,754.00

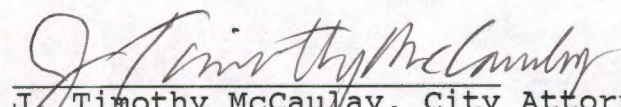
SECTION 2. That the unappropriated and unobligated balance of account no. 355-121-1011 is hereby reduced by the sum of \$48,877.00.

PAGE TWO

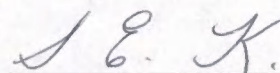
SECTION 3. That this ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

Public Hearing to be held on Tuesday, Sept. 13, 1988,
in the Council Chambers.


Sandra E. Kenndey, City Clerk



INDIANA DEPARTMENT OF NATURAL RESOURCES

JAMES M. RIDENOUR, DIRECTOR

608 State Office Building
Indianapolis, IN 46204

Mr. Ivan Lebamoff, President
Fort Wayne Board of Park Commissioners
705 East State Blvd.
Fort Wayne, Indiana 46805

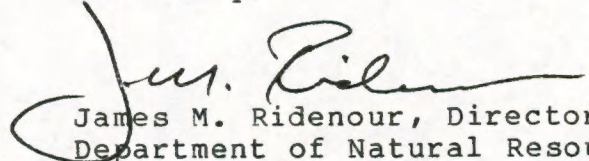
Dear Mr. Lebamoff:

We are pleased to inform you that the St. Mary's Rivergreenway, project number 18-00465, has been approved. A copy of the Land and Water Conservation Fund (LWCF) Project Agreement between your park board and our department is enclosed. According to the dollar figure indicated as "LWCF Grant", up to \$48,877.00 of financial assistance will be provided for your project. The agreement serves as the legally binding contract between your park board and the Indiana Department of Natural Resources. Please become familiar with this agreement and the General Provisions, found on pages A-37 through A-45 of the LWCF Manual, which have been incorporated into the agreement.

We again ask that you carefully read our publication LWCF Manual: Guidelines for Local Agencies Participating in the Land and Water Conservation Fund Program in Indiana. Chapter 4 outlines important information related to the administration of every project after it has been approved. Chapter 6 is especially relevant to your agency because it outlines the procedures which are to be followed for projects involving development. The reimbursement procedure is explained in Chapter 7 and close-out procedures are detailed in Chapter 8 of this manual. Billing forms are enclosed for your use in requesting reimbursement.

Please keep the Division of Outdoor Recreation informed of the progress of your project and any changes which are proposed. Major changes require the approval of the federal government prior to initiating action on the change. We look forward to working with you on this important project. If we can be of assistance or answer questions, please feel free to contact us.

Sincerely,


James M. Ridenour, Director
Department of Natural Resources

JMR:EAM:feh
Enc: LWCF Project Agreement
Billing Forms



FOR IMMEDIATE RELEASE

Contact: Eric Myers (317/232-4070)
or Jim Parham (317/232-4200)

The State of Indiana has received notification of the approval of a \$48,877 Land and Water Conservation Fund matching grant to the Fort Wayne Park and Recreation Board. The announcement was made today by Jim Ridenour, director of the Department of Natural Resources.

The grant will be used to construct a linear bike trail and picnic area from Swinney Park to Taylor Street.

The Land and Water Conservation Fund Program is a federal 50 percent matching program which provides assistance to city and county park and recreation boards for the acquisition and development of outdoor recreation sites and facilities. Since the inception of the program in 1965, \$34 million has been invested in such local projects. The grant funds originate from the sale of surplus federal property and outer continental shelf leases. The fund receives no tax monies. The program is administered by the Indiana Department of Natural Resources.

-30-

N E W S . R E L E A S E

Indiana Department of Natural Resources
Division of Outdoor Recreation
LAND AND WATER CONSERVATION FUND PROJECT AGREEMENT

Project Sponsor (Park Board) Fort Wayne Bd. of Park Commissioners
Project Number 18-00465

Project Title St. Mary's Rivergreenway-Phase I

Project Approval Date 6-27-88

Project Expiration Date 12-31-89

Project Scope (Description of Project)

The Fort Wayne Board of Park Commissioners will design and construct a linear bike trail from Swinney Park to Taylor Street, a distance of approximately 2000 feet. Project costs will include an 8 ft. wide asphalt trail, an underpass below Jefferson Street and a railroad, as well as a fully developed picnic area including tables, grills and waste containers.

Project Cost

Total Cost \$ 97,754.00

Sponsor's Share \$ 48,877.00

LWCF Grant \$ 48,877.00
(Not to exceed 50%)

The following are hereby
incorporated into this
agreement:

1. General Provisions
2. Project Proposal Assurances
3. Application, Attachments & Amendments

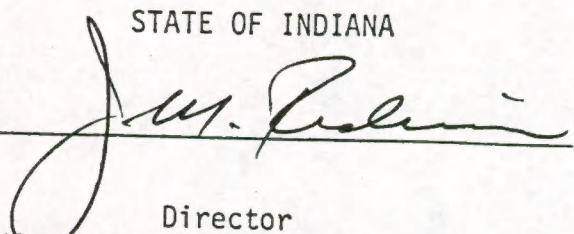
The State of Indiana, represented by the Director of the Indiana Department of Natural Resources and the Park Board named above (hereinafter referred to as the Board), mutually agree to perform this agreement and any amendments thereto in accordance with the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964), the provisions and conditions of the Land and Water Conservation Fund Grants Manual, and with the terms, promises, conditions, plans, specifications, estimates, procedures, project proposals, maps, and assurances attached hereto or submitted to and retained by the Division of Outdoor Recreation.

The State of Indiana hereby promises, in consideration of the promises made by the Board herein, to obligate to the Board the amount of money referred to above as the LWCF Grant. The Board hereby promises, in consideration of the promises made by the State of Indiana herein, to execute the project described above in accordance with the terms of this agreement.



The following special project terms are part of this agreement:

Attachment No. 1, "Minority Business Enterprise Development", is hereby incorporated into this agreement.

In witness whereof, the parties hereto have executed this agreement as of the date entered below.

STATE OF INDIANA
By 
Director
Indiana Department of Natural Resources

7-19-88
Date

BOARD
By 
Park Board President's Signature
C. Philip Andorfer
Park Board President's Name
By 
Park Board Secretary's Signature
Robert C. Arnold
Park Board Secretary's Name

July 22, 1988
Date

Read the first time in full and on motion by Schmidt, seconded by Dean, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday, the 13th day of Sept, 1988, at 7:00 o'clock P.M., E.S.T.

DATED: 8-23-88

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Schmidt, seconded by Redd, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u>1</u>		<u>1</u>
<u>BRADBURY</u>	<u>✓</u>			
<u>BURNS</u>		<u>✓</u>		
<u>GIAQUINTA</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>STIER</u>				<u>✓</u>
<u>TALARICO</u>	<u>✓</u>			

DATED: 9-13-88

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. A-05-88

on the 13th day of September, 1988,

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Thomas E. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of September, 1988, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of September, 1988, at the hour of 1:00 o'clock P.M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE APPROPRIATION ORDINANCE

A 88-08-320

DEPARTMENT REQUESTING ORDINANCE PARKS AND RECREATION DEPARTMENT

SYNOPSIS OF ORDINANCE Appropriates monies to qualify for a matching

grant fund from the Indiana Department of Natural Resources.

EFFECT OF PASSAGE Approves project agreement and allows continuation

of linkage between Swinney Park and Foster Park.

EFFECT OF NON-PASSAGE Default of a Land and Water Conservation Fund

Grant and the loss of reimbursement of funds in the amount of \$48,877.00

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. A-88-08-32

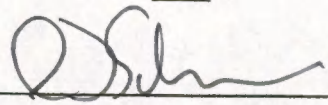

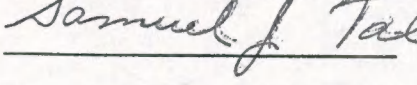
REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (ORDINANCE) ~~XXXXXXXXXXXX~~ (RESOLUTION) appropriating monies
from the unappropriated and unobligated balance of the Parks
and Recreation Department Account No. 355-121-1011 to
provide matching funds for a certain Indiana Department of
Natural Resources grant


HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~) _____

YES

NO

<u></u>	DONALD J. SCHMIDT	_____
	CHAIRMAN	_____
<u></u>	CHARLES B. REDD	_____
<u></u>	VICE CHAIRMAN	_____
	SAMUEL J. TALARICO	_____
_____	JAMES S. STIER	_____
_____	JANET G. BRADBURY	_____

CONCURRED IN 9-13-88


Sandra E. Kennedy
City Clerk

All America City



Most Livable City

THE CITY OF FORT WAYNE

August 23, 1988

Ms. April Minnick
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Minnick:

Please give the attached full coverage on the dates of August 27 and September 3, 1988, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. A-88-08-32
Park Department

Please send us 6 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

A handwritten signature in cursive script that reads "Sandra E. Kennedy".

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

NOTICE TO TAXPAPERS OF
ADDITIONAL APPROPRIATIONS

Notice is hereby given to the taxpayers of the City of Fort Wayne, Allen County, Indiana, that the Common Council of said Municipality will, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on Tuesday, the 13th day of September, 1988, at 7:00 P.M. o'clock, Eastern Standard Time, consider the following additional appropriations which said Council considers necessary to meet an extraordinary emergency existing at this time.

BILL NO. A-88-08-32

7
8 WHEREAS, the Fort Wayne Board of Park Commissioners has
9 entered into a Land and Water Conservation Fund Project
10 Agreement with the Indiana Department of Natural Resources;

11 WHEREAS, said project is in connection with the design
12 and construction of a linear bike trail from Swinney Park to
13 Taylor Street, a distance of approximately 2000 feet;

14 WHEREAS, said fund project agreement provides that the
15 City shall pay one-half of the total cost of the project and
16 that the LWCF Grant shall pay for the other half of the
17 project;

18 WHEREAS, pursuant to said agreement, the Indiana
19 Department of Natural Resources will grant to the Fort Wayne
20 Board of Park Commissioners the sum of \$48,877.00;

21 WHEREAS, it is necessary to appropriate the monies from
22 said grant.

23 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
24 THE CITY OF FORT WAYNE, INDIANA:

25 SECTION 1. That there is hereby appropriated in the
26 1988 Budget of the Parks and Recreation Department, stated
27 below, the following sum, to wit:

<u>Department</u>	<u>Account No.</u>	<u>Amount</u>
Parks and Recreation Dept.	323-121-LWCF	\$97,754.00

30 SECTION 2. That the unappropriated and unobligated
31 balance of account no. 355-121-1011 is hereby reduced by the
32 sum of \$48,877.00.

Taxpayers appearing at such meeting shall have a right to be heard thereon. The additional appropriation, as finally made, will be automatically referred to the State Board of Tax Commissioners, which Commission will hold a further hearing within fifteen days at the County Auditor's Office of Allen County, Indiana, or at such other place.

EMERGENCY APPROPRIATION ORDINANCE

WHEREAS, certain extraordinary emergencies have developed since the adoption of the existing annual budget, so that it is now necessary to appropriate more money that was appropriated in the annual budget; now therefore, to meet such extraordinary emergencies:

Sec. 1 Be it ordained by the Common Council of the City of Fort Wayne, Allen County, Indiana, that for the expenses of said municipal corporation the following additional sums of money are hereby appropriated and ordered set a part out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same:

A-05-88
BILL NO. A-88-08-32 AMOUNT REQUESTED \$ _____ AMOUNT APPROPRIATED \$ _____
SEE ATTACHED ORDINANCE

A-05-88
BILL NO. A-88-08-32 \$ _____ \$ _____
SEE ATTACHED ORDINANCE

ADOPTED THIS 13th DAY OF September 1988

<u>AYES</u>	<u>NAYS</u>
<u>Janet G. Bradbury</u> JANET G. BRADBURY	
	<u>Paul M. Burns</u> PAUL M. BURNS
<u>Mark E. GiaQuinta</u> MARK E. GIAQUINTA	
<u>Thomas C. Henry</u> THOMAS C. HENRY	
<u>David C. Long</u> DAVID C. LONG	
<u>Charles B. Redd</u> CHARLES B. REDD	
<u>Donald J. Schmidt</u> DONALD J. SCHMIDT	
<u>absent</u> JAMES S. STIER	
<u>Samuel J. Talarico</u> SAMUEL J. TALARICO	

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

BILL NO. A-88-08- 32

APPROPRIATION NO. A- 05-88

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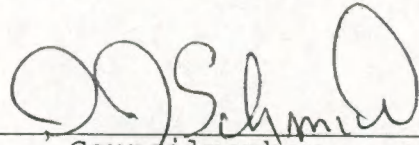
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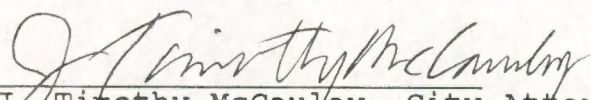
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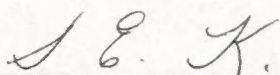
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Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulley, City Attorney

Public Hearing to be held on Tuesday, Sept. 13, 1988,
in the Council Chambers.


Sandra E. Kenndey, City Clerk

Ft. Wayne Common Council
(Governmental Unit)

To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

Allen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

2

50

2

54

COMPUTATION OF CHARGES

54 lines, 1 columns wide equals 54 equivalent lines
at .495 cents per line

\$ 26.73

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

4.00

TOTAL AMOUNT OF CLAIM

\$ 30.73

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Trudy Sterling
Clerk

, 19 88

Title: _____

Clerk

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8-27/9-3

Sandra E. Kennedy, City Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time s, the dates of publication being as follows:

8/27, 9/3/88

Subscribed and sworn to before me this 27th day of August, 19 88

Shelley R. LaRue
Notary Public
My commission expires: March 3, 1990

Ft. Wayne Common Council
(Governmental Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100Fort Wayne, INAllen County, Indiana

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Trudy Sterling19 88

Title:

Clerk

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State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/ she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time s, the dates of publication being as follows:

8/27, 9/3/88Subscribed and sworn to before me this 3rd day of Sept., 19 88Shelley R. LaRue
Notary Public

Shelley R. LaRue

My commission expires: March 3, 1990NOTICE TO TAXPAYERS OF
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8-27/9-3

Sandra E. Kennedy, City Clerk